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EXAMINER:

Kennedy, S.E.

DOCKET: **D6327CIP**

FILED: February 6, 2004

SERIAL NO.: 10/774,320

FOR: Activated Delivery of Biomolecules

Using Electromagnetic Energy

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to a Restriction Requirement mailed July 31, 2007, for the abovereferenced application, Applicants elect Group 1, claims 1-39 drawn to a composition comprising a biomolecule and an electromagnetic energy absorbing species, without traverse. Applicants make the following species election without traverse: the susceptor is stainless steel, the electromagnetic energy is radiofrequency energy, the biomolecule is a biomaterial, the biochemical reaction results in a conformational change to the biomolecules, and the chemical bond involves a dimer. As stated by the Examiner these elections comprise a single species and therefore reads on claims 1-2, 4-5, 9-17, 19-25, 27-28, and 32-39. Applicants submit that the species of in tissue or not in tissue reads on non-elected claims. Applicants submit that no fees are due, however, if this is in error, please debit any applicable fees from Deposit Acct. No. 07-1185, upon which the undersigned is allowed to draw.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I certify under 37 CFR 1.8 that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Please return the enclosed postcard acknowledging receipt of this correspondence.

Date:

ADLER & ASSOCIATE

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Tel: (713) 270-5391 Fax: (713) 270-5361 BADLER1@houston.rr.com Respectfully submitted,

Benjamin Aaron Adler, Ph.D.

Registration No. 35,423 Counsel for Applicant ...